

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 658

Introduced by Lynch, 13

Read first time January 20, 1999

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Pickle Card Lottery Act; to
2 amend sections 9-312, 9-315, and 9-346, Reissue Revised
3 Statutes of Nebraska; to redefine terms; to change
4 provisions relating to pickle card requirements; to
5 harmonize provisions; and to repeal the original
6 sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-312, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 9-312. Lottery by the sale of pickle cards shall mean
4 any gambling scheme in which participants pay or agree to pay
5 something of value for a pickle card. Any lottery by the sale of
6 pickle cards shall be conducted pursuant to and in accordance with
7 the Nebraska Pickle Card Lottery Act.

8 Lottery by the sale of pickle cards shall not mean or
9 include any activity authorized or regulated under the Nebraska
10 Bingo Act, except as provided in section 9-346, the Nebraska County
11 and City Lottery Act, the Nebraska Lottery and Raffle Act, the
12 Nebraska Small Lottery and Raffle Act, the State Lottery Act,
13 section 9-701, or Chapter 2, article 12, nor shall lottery by the
14 sale of pickle cards mean or include any activity prohibited under
15 Chapter 28, article 11.

16 Sec. 2. Section 9-315, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 9-315. Pickle card shall mean any disposable card,
19 board, or ticket which accords a person an opportunity to win a
20 cash prize by opening, pulling, detaching, or otherwise removing
21 one or more tabs from the card, board, or ticket to reveal a set of
22 numbers, letters, symbols, or configurations, or any combination
23 thereof, and shall include, but not be limited to, any card known
24 as a pickle ticket, pickle, break-open, pull-tab, pull-tab board,
25 punchboard, seal card, pull card, or any other similar card, board,
26 or ticket which is included under this section, whether referred to
27 by any other name.

28 Pickle card shall not mean or include any:

1 (1) Card used in connection with bingo conducted pursuant
2 to the Nebraska Bingo Act, except as provided in section 9-346;

3 (2) Racing ticket or wager in connection with any
4 horserace conducted pursuant to Chapter 2, article 12;

5 (3) Scrape-off or rub-off ticket;

6 (4) Card, ticket, or other device used in connection with
7 any kind of gambling, lottery, raffle, or gift enterprise
8 authorized or regulated under the Nebraska County and City Lottery
9 Act, the Nebraska Lottery and Raffle Act, the Nebraska Small
10 Lottery and Raffle Act, the State Lottery Act, or section 9-701; or

11 (5) Card, ticket, or other device prohibited under
12 Chapter 28, article 11.

13 Sec. 3. Section 9-346, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 9-346. (1) The winning cards, boards, or tickets in any
16 lottery by the sale of pickle cards shall be determined by a
17 comparison of those numbers, letters, symbols, or configurations,
18 or combination thereof, which are revealed on the pickle cards, to
19 a set of numbers, letters, symbols, or configurations, or
20 combination thereof, which has been previously specified as a
21 winning combination. Whenever the winning combinations do not
22 comprise a statement of the cash prize won, the winning
23 combinations shall be printed on every pickle card that is wider
24 than one inch or longer than two and one-half inches. Pickle cards
25 that are smaller than such dimensions shall have the winning
26 combinations printed on a flare card that is publicly displayed at
27 the point of sale of the pickle cards.

28 (2) The winning chances of any pickle card shall not be

1 determined or otherwise known until after its purchase and only
2 upon opening, pulling, detaching, breaking open, or otherwise
3 removing the tab or tabs to clearly reveal or otherwise
4 appropriately revealing the combination. The winning chances shall
5 be determined by and based upon an element of chance.

6 (3) Any person possessing a winning pickle card shall
7 receive the appropriate cash prize previously determined and
8 specified for that winning combination.

9 (4) All pickle cards shall legibly bear on the outside of
10 each pickle card the name of the licensed organization conducting
11 the lottery by the sale of pickle cards and such organization's
12 state identification number.

13 (5) Nothing in this section shall prohibit (a)
14 punchboards which allow the person who purchases the last punch on
15 the punchboard to receive a cash prize predetermined by the
16 manufacturer as a result of purchasing the last punch, (b) pickle
17 card units which utilize a seal card which allows a seal card
18 winner to receive a cash prize predetermined by the manufacturer,
19 ~~or~~ (c) pickle card units which utilize a seal card as described in
20 this section which allow the person who purchases the last pickle
21 card of such a unit to receive a cash prize predetermined by the
22 manufacturer as a result of purchasing the last pickle card; or (d)
23 pickle card units which are designed by a manufacturer to utilize
24 bingo numbers drawn during the conduct of bingo to determine a
25 winning combination. Such pickle card units shall be sold by a
26 licensed distributor only to an organization licensed to conduct a
27 lottery by the sale of pickle cards which is also licensed to
28 conduct bingo and shall be played only at the bingo premises of the

1 licensed organization during a bingo occasion conducted pursuant to
2 the Nebraska Bingo Act.

3 Sec. 4. Original sections 9-312, 9-315, and 9-346,
4 Reissue Revised Statutes of Nebraska, are repealed.